



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kobi Iki et al.

Art Unit : Unknown

Serial No. : 10/766,894

Examiner : Unknown

Filed : January 30, 2004

Title : CARTILAGE TREATMENT PROBE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**AMENDMENT TO CORRECT INVENTORSHIP**

Pursuant to 35 U.S.C. § 116 and 37 C.F.R. § 1.48(a), please amend the application to add Mark Markel and Ryland B. Edwards III as inventors. The other inventors in this application are: Kobi Iki, William M. Ambrisco, Douglas M. Lorang, Alan P. Gannon, Richard M. Ranalli, and Mathew E. Mitchell.

Applicants submit herewith a Statement of Lack of Deceptive Intention, a new Declaration executed by the currently-named inventors, and an Assent of the Assignee and Certificate under 37 C.F.R. § 3.73(b).

Enclosed is a \$130.00 check for the processing fee required under 37 C.F.R. § 1.17(i). Please apply any other charges or credits to Deposit Account No. 06-1050.

07/19/2005 JADDO1 00000078 10766894

01 FC:1464

130.00 OP

Respectfully submitted,



Joel R. Petrow, Reg. No. 30,886  
Chief Patent Counsel  
Smith & Nephew, Inc.  
1450 Brooks Road  
Memphis, TN 38116

Date: MAY 12 2005



Attorney's Docket No.: 00167-491001 / 02-31-0464

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kobi Iki et al.

Art Unit : Unknown

Serial No. : 10/766,894

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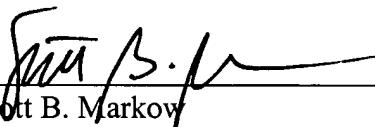
TRANSMITTAL LETTER

Please accept to filing in this application the enclosed Amendment to Correct Inventorship, Assent of Assignee to Correction of Inventorship and Certificate Under 37 C.F.R. § 3.73(b), Combined Declaration and Power of Attorney, and Statement of Lack of Deceptive Intent.

The required fees are set forth in the enclosed documents. Please apply any charges not covered, or any credits, to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 7/18/2005

  
\_\_\_\_\_  
Scott B. Markow  
Reg. No. 46,899

Fish & Richardson P.C.  
1425 K Street, N.W.  
11th Floor  
Washington, DC 20005-3500  
Telephone: (202) 783-5070  
Facsimile: (202) 783-2331



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**ASSENT OF ASSIGNEE TO CORRECTION OF INVENTORSHIP AND  
CERTIFICATE UNDER 37 CFR §3.73(b)**

Smith & Nephew, Inc., the assignee of the above U.S. patent application, hereby assents to the correction of inventorship filed herewith. Under 37 CFR §3.73(b), Smith & Nephew, Inc., a Delaware corporation with its principal place of business in Memphis, Tennessee, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from Kobi Iki, William M. Ambrisco, Douglas M. Lorang, Alan P. Gannon, Richard M. Ranalli, and Mathew E. Mitchell recorded in the Patent and Trademark Office at Reel 015686, Frame 0697 on August 17, 2004, and an assignment from Mark Markel and Ryland B. Edwards III being filed concurrently herewith.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above. The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee.

Applicant : Kobi Iki et al.  
Serial No. : 10/766,894  
Filed : January 30, 2004  
Page : 2 of 2

Attorney's Docket No.: 00167-491001 / 02-31-0464

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

  
\_\_\_\_\_  
Joel R. Petrow, Reg. No. 30,886  
Chief Patent Counsel  
Smith & Nephew, Inc.  
1450 Brooks Road  
Memphis, TN 38116



Attorney's Docket No.: 00167-491001  
Client's Ref. No.: 02-31-0464

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled CARTILAGE TREATMENT PROBE, the specification of which:

is attached hereto.  
 was filed on January 30, 2004 as Application Serial No. 10/766,894 and was amended on \_\_\_\_\_  
 was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_  
and as amended under PCT Article 19 on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

U.S. Serial No.	Filing Date	Status
60/443,840	January 31, 2003	Abandoned

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

**26166**  
PTO Customer Number

Direct all telephone calls to SCOTT B. MARKOW at telephone number (202) 783-5070.

**Direct all correspondence to the following:**

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both; under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

**Combined Declaration and Power of Attorney**  
Page 2 of 3 Pages

Full Name of Inventor: KOBI IKI

Inventor's Signature:

Residence Address:

Citizenship:

Post Office Address:

San Carlos, CA

United States of America

580 Emerald Ave.

San Carlos, CA 94070

Date: 6/30/05

Full Name of Inventor: WILLIAM M. AMBRISCO

Inventor's Signature:

Date:

Residence Address:

Mountain View, CA

Citizenship:

United States

Post Office Address:

58 Devonshire Ave.

Apt. A

Mountain View, CA 94043

Full Name of Inventor: DOUGLAS M. LORANG

Inventor's Signature:

Date:

Residence Address:

San Jose, CA

Citizenship:

United States of America

Post Office Address:

1631 Via Campagna

San Jose, CA 95120

Full Name of Inventor: ALAN P. GANNON

Inventor's Signature:

Date:

Residence Address:

Amesbury, MA

Citizenship:

37 Kimball Road

Post Office Address:

Amesbury, MA 01913

Full Name of Inventor: RICHARD M. RANALLI

Inventor's Signature:

Date:

Residence Address:

Berwick, Maine

Citizenship:

United States

Post Office Address:

371 Diamond Hill Road,

Berwick, Maine 03901

**Combined Declaration and Power of Attorney**  
Page 3 of 3 Pages

Full Name of Inventor: **MATHEW E. MITCHELL**

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence Address: Pelham, NH  
Citizenship: United States  
Post Office Address: 12 Fletcher Dr.  
Pelham, NH 03076

Full Name of Inventor: **MARK MARKEL**

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence Address: Middleton, WI  
Citizenship: United States of America  
Post Office Address: 2141 Middleton Beach Road  
Middleton, WI 53562

Full Name of Inventor: **RYLAND B. EDWARDS III**

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence Address: Middleton, WI  
Citizenship: United States  
Post Office Address: 3081 Baskerville Avenue  
Middleton, WI 53562

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Attorney's Docket No.: 00167-491001  
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**Combined Declaration and Power of Attorney**  
Page 2 of 3 Pages

Full Name of Inventor: KOBI IKI

Inventor's Signature:

Residence Address:

Citizenship:

Post Office Address:

Date:

San Carlos, CA  
United States of America  
580 Emerald Ave.  
San Carlos, CA 94070

Full Name of Inventor: WILLIAM M. AMBRISCO

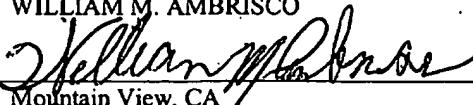
Inventor's Signature:

Residence Address:

Citizenship:

Post Office Address:

Date:

  
Mountain View, CA  
United States  
58 Devonshire Ave.  
Apt. A  
Mountain View, CA 94043

6/21/85

Full Name of Inventor: DOUGLAS M. LORANG

Inventor's Signature:

Residence Address:

Citizenship:

Post Office Address:

Date:

San Jose, CA  
United States of America  
1631 Via Campagna  
San Jose, CA 95120

Full Name of Inventor: ALAN P. GANNON

Inventor's Signature:

Residence Address:

Citizenship:

Post Office Address:

Date:

Amesbury, MA  
37 Kimball Road  
Amesbury, MA 01913

Full Name of Inventor: RICHARD M. RANALLI

Inventor's Signature:

Residence Address:

Citizenship:

Post Office Address:

Date:

Berwick, Maine  
United States  
371 Diamond Hill Road,  
Berwick, Maine 03901

Attorney's Docket No.: 00167-491001  
Client's Ref. No.: 02-31-0464

**Combined Declaration and Power of Attorney**  
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Full Name of Inventor: MATHEW E. MITCHELL

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence Address: Pelham, NH  
Citizenship: United States  
Post Office Address: 12 Fletcher Dr.  
Pelham, NH 03076

Full Name of Inventor: MARK MARKEL

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence Address: Middleton, WI  
Citizenship: United States of America  
Post Office Address: 2141 Middleton Beach Road  
Middleton, WI 53562

Full Name of Inventor: RYLAND B. EDWARDS III

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence Address: Middleton, WI  
Citizenship: United States  
Post Office Address: 3081 Baskerville Avenue  
Middleton, WI 53562

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Citizenship: United States of America  
Post Office Address: 580 Emerald Ave.  
San Carlos, CA 94070

Full Name of Inventor: WILLIAM M. AMBRISCO

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence Address: Mountain View, CA  
Citizenship: United States  
Post Office Address: 58 Devonshire Ave.  
Apt. A  
Mountain View, CA 94043

Full Name of Inventor: DOUGLAS M. LORANG

*Douglas M. Lorang* \_\_\_\_\_ Date: June 29, 2005  
Residence Address: San Jose, CA Ripon, CA  
Citizenship: United States of America  
Post Office Address: 1631 Via Campagna 547 Lan Way  
San Jose, CA 95120 Ripon, CA 95366  
DML

Full Name of Inventor: ALAN P. GANNON

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence Address: Amesbury, MA  
Citizenship:  
Post Office Address: 37 Kimball Road  
Amesbury, MA 01913

Full Name of Inventor: RICHARD M. RANALLI

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence Address: Berwick, Maine  
Citizenship: United States  
Post Office Address: 371 Diamond Hill Road,  
Berwick, Maine 03901

**Combined Declaration and Power of Attorney**  
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Full Name of Inventor: **MATHEW E. MITCHELL**

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence Address: Pelham, NH  
Citizenship: United States  
Post Office Address: 12 Fletcher Dr.  
Pelham, NH 03076

Full Name of Inventor: **MARK MARKEL**

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence Address: Middleton, WI  
Citizenship: United States of America  
Post Office Address: 2141 Middleton Beach Road  
Middleton, WI 53562

Full Name of Inventor: **RYLAND B. EDWARDS III**

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
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Residence Address: San Jose, CA  
Citizenship: United States of America  
Post Office Address: 1631 Via Campagna  
San Jose, CA 95120

Full Name of Inventor: ALAN P. GANNON

Inventor's Signature: Alan P. Gannon Date: 6/9/2005  
Residence Address: Amesbury, MA  
Citizenship:  
Post Office Address: 37 Kimball Road  
Amesbury, MA 01913

Full Name of Inventor: RICHARD M. RANALLI

Inventor's Signature: Richard M. Ranalli Date: 6/9/2005  
Residence Address: Berwick, Maine  
Citizenship: United States  
Post Office Address: 371 Diamond Hill Road,  
Berwick, Maine 03901

**Combined Declaration and Power of Attorney**  
Page 3 of 3 Pages

Full Name of Inventor: MATHEW E. MITCHELL

Inventor's Signature: John T. Smith Date: 6/9/05  
Residence Address: Pelham, NH  
Citizenship: United States  
Post Office Address: 12 Fletcher Dr.  
Pelham, NH 03076

Full Name of Inventor: MARK MARKEL

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
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Attorney's Docket No.: 00167-491001  
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**Combined Declaration and Power of Attorney**  
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Inventor's Signature:

Residence Address:

Citizenship:

Post Office Address:

Date:

San Carlos, CA  
 United States of America  
 580 Emerald Ave.  
 San Carlos, CA 94070

Full Name of Inventor: WILLIAM M. AMBRISCO

Inventor's Signature:

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Citizenship:

Post Office Address:

Date:

Mountain View, CA  
 United States  
 58 Devonshire Ave.  
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 Mountain View, CA 94043

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Date:

San Jose, CA  
 United States of America  
 1631 Via Campagna  
 San Jose, CA 95120

Full Name of Inventor: ALAN P. GANNON

Inventor's Signature:

Residence Address:

Citizenship:

Post Office Address:

Date:

Amesbury, MA  
 37 Kimball Road  
 Amesbury, MA 01913

Full Name of Inventor: RICHARD M. RANALLI

Inventor's Signature:

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**Combined Declaration and Power of Attorney**  
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Inventor's Signature:

Residence Address:

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Post Office Address:

Pelham, NH  
United States  
12 Fletcher Dr.  
Pelham, NH 03076

Date:

Full Name of Inventor:

MARK MARKEL

Inventor's Signature:

Residence Address:

Citizenship:

Post Office Address:

Middleton, WI  
United States of America  
2141 Middleton Beach Road  
Middleton, WI 53562

Date:

7/5/05

Full Name of Inventor:

RYLAND B. EDWARDS III

Inventor's Signature:

Residence Address:

Citizenship:

Post Office Address:

Middleton, WI  
United States  
3081 Baskerville Avenue  
Middleton, WI 53562

Date:

7/5/05

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Attorney's Docket No.: 00167-491001 / 02-31-0464

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 Serial No. : 10/766,894 Examiner : Unknown  
 Filed : January 30, 2004  
 Title : CARTILAGE TREATMENT PROBE

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

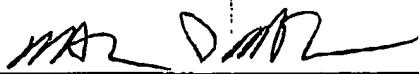
STATEMENT OF LACK OF DECEPTIVE INTENT

We, the undersigned, Mark Markel and Ryland B. Edwards III, were erroneously omitted as inventors of the above-identified patent application. This error occurred without deceptive intent and we should be added as inventors of the above-identified patent application.

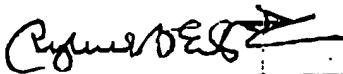
We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

Date: 7/5/05

  
 Mark Markel

Date: 7/5/05

  
 Ryland B. Edwards III